

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

MARIA NAZARIO

v.

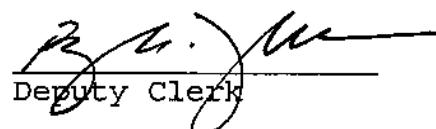
CA No. 05-392-T

JO ANNE B. BARNHART,  
Commissioner, Social  
Security Administration

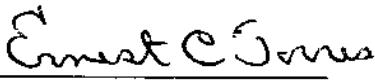
ORDER DENYING DEFENDANT'S MOTION TO  
AFFIRM AND GRANTING PLAINTIFF'S MOTION TO REMAND

The Commissioner of the Social Security Administration's ("Commissioner's") Motion to Affirm (Document No. 9) is hereby DENIED and plaintiff's Motion to Remand (Document No. 8) is hereby GRANTED. Final judgment may enter in favor of the plaintiff reversing the decision of the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) and this matter is remanded back to the Commissioner for additional proceedings consistent with the Report and Recommendation filed by Magistrate Judge Almond on August 24, 2006 (Document No. 13).

By Order

  
\_\_\_\_\_  
Deputy Clerk

ENTER:

  
\_\_\_\_\_  
Ernest C. Torres  
Chief Judge

Date: Sept. 18 , 2006